

Summary of Changes to Chapter 173-423
Post September 13th Meeting
9/21/05

Section	Summary
020 Applicability	Removed “with a gross vehicle weight rating (GVWR) of less than 14,000 pounds” which is not needed in light of definition 9 for light medium duty passenger vehicle
030 Inc. by reference	Removed “and subsequent greenhouse gas emission requirements” which is not needed since the GHG requirement has now been adopted by CARB and is a California motor vehicle emission standard.
040 Definitions (12)	Clarified NMOG definition to read “...from passenger cars and light duty trucks...”
060 Exemptions (3 & 7)	Clarified exemption 3 as it pertains to vehicle dealers by adding, “...provided that for vehicle dealers, the mileage at the time of sales is determined by the odometer statement at the time the vehicle dealer acquired the vehicle”
	Removed exemption 7
070 Adoption by reference	Removed various provisions we decided we don’t need
080 Fleet average (3 & 4)	(3) Reformatted and clarified that manufacturer annual reports include “Pre-model year data...” and “End-of-Model year data...”
	(4) Reformatted and clarified: (a) what a manufacturer “enforcement report” must do (if needed): “Describe how the manufacturer intends to equalize any accrued debits, as required in California Code of Regulations, Title 13, section 1961”, and (b) how the four year compliance phase-in works: “For model years 2009 through 2012 the Fleet Average Enforcement Report, if needed, must be submitted to Ecology by March 1, 2013. Any debits accrued in model years 2009 through 2012 must be equalized by the end of the 2013 model year”
090 GHG Fleet average (7 & 8)	(7) Same as 080 (3) above
	(8) Same clarification regarding “enforcement reports” that were done in 080 (4).
130 Surveillance (2 & 3)	(2) Deleted “do not buy provision”
	New (2), Added “or rental car agency” and “This provision does not require creation of new records”

After the last meeting, manufacturers suggested that we consider language that would allow us, if we choose in the future (without reopening the rule), to base the compliance for fleet average requirements on a regional deliveries rather than just Washington state only deliveries. We are open to this idea, but don’t want to put in the rule at this time. Similar proposals are being considered in the northeast and we prefer to take more time to discuss with those states and Oregon what the pros and cons of this idea might be. Since it’s not a substantive change, we could still include the concept in the final rule.